

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

Deonte' McCoy,

Plaintiff,

Case No. 22-cv-12237

v.

Honorable Susan K. DeClercq

Nicholas Fowler, et al.,

Defendant.

ORDER ADOPTING REPORT AND RECOMMENDATION

On August 15, 2024, Magistrate Judge Altman issued a report recommending that Defendants' Motion for Summary Judgment (ECF No. 49) be granted. Neither party filed objections within the fourteen day period pursuant to Fed.R.Civ.P 72(b) and 28 U.S.C. § 636(b)(1). They therefore have forfeited their right to appeal Judge Altman's findings. *See Berkshire v. Dahl*, 928 F.3d 520, 530-31 (6th Cir. 2019) (citing *Thomas v. Arn*, 474 U.S. 140, 149 (1985)). Moreover, there is no prejudicial clear error in the report.

Accordingly, it is **ORDERED** that the Report and Recommendation (ECF No. 49) is **ADOPTED**. Further, it is **ORDERED** that Defendants' Motion for Summary Judgement (ECF No. 39) is **GRANTED**.

This is a final order and closes the case.

/s/ Susan K. DeClercq
SUSAN K. DeCLERCQ
United States District Judge

Dated: September 16, 2024